

## **IC 20-10.1-7**

### **Chapter 7. Optional Curriculum**

#### **IC 20-10.1-7-1**

##### **Adult education; reimbursement for costs**

Sec. 1. (a) The board and the state superintendent may prescribe a program of adult education. The board shall adopt under IC 4-22-2 rules to provide this program and the state distribution formula for money appropriated by the general assembly for adult education. Money appropriated by the general assembly for adult education may only be used to reimburse a school corporation for adult education that is provided to persons who:

(1) need that education to gain the mastery of a skill that leads to:

(A) the completion of grade 8; or

(B) a state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1;

(2) need that education to receive high school credit to obtain a high school diploma; or

(3) have graduated from high school (or received a high school equivalency certificate or a state of Indiana general educational development (GED) diploma) but who demonstrate basic skill deficiencies in mathematics or English/language arts.

However, the school corporation may not count, for reimbursement under this section, any person who is also enrolled in its K-12 educational program. In addition, a person described in subdivision (3) may only be counted for reimbursement by the school corporation for classes taken in the subjects of mathematics and English/language arts.

(b) The board shall provide for reimbursement to a school corporation under this section for instructor's salaries and administrative and support costs. However, the board may not allocate more than fifteen percent (15%) of the total appropriation for administrative and support costs.

(c) Each school corporation may conduct a program of adult education.

(d) Each school corporation may require a person who:

(1) is at least sixteen (16) years of age; and

(2) wishes to enroll in a school following that student's expulsion from school under IC 20-8.1-5 (before its repeal) or IC 20-8.1-5.1 on the grounds that the student was disorderly or that the student was dangerous to persons or property;

to attend evening classes or classes established for students who are at least sixteen (16) years of age. However, a child with a disability (as defined by IC 20-1-6-1) who is at least eighteen (18) years of age and whom the school corporation elects to educate shall be provided with an appropriate special educational program.

*(Formerly: Acts 1975, P.L.240, SEC.1.) As amended by Acts 1978, P.L.113, SEC.1; Acts 1979, P.L.213, SEC.1; P.L.212-1983, SEC.2; P.L.20-1984, SEC.119; P.L.212-1985, SEC.1; P.L.207-1989, SEC.1;*

*P.L.23-1993, SEC.118; P.L.149-1995, SEC.7; P.L.2-1997, SEC.61.*

#### **IC 20-10.1-7-1.1**

##### **Program of adult competency; utilizing funds to implement program**

Sec. 1.1. (a) The department shall, in cooperation with the department of workforce development, implement the Indiana program of adult competency.

(b) The department may, with approval by the department of workforce development, utilize funds available under the Job Training Partnership Act under 29 U.S.C. 1500 et seq. and, with approval by the department of workforce development, utilize funds available to the department of workforce development to implement this program.

*As added by P.L.19-1992, SEC.31. Amended by P.L.21-1995, SEC.51.*

#### **IC 20-10.1-7-1.5**

##### **Adult education appropriation**

Sec. 1.5. If money appropriated in any fiscal year by the general assembly for adult education is insufficient to fund the state adult education distribution formula provided in the rules adopted by the state board of education, the state budget agency may transfer a sufficient amount of money from any excess in the state appropriation for tuition support for that fiscal year to fund the state adult education distribution formula. Before the state budget agency makes the transfer, it shall refer the matter to the state budget committee for its advisory recommendation.

*As added by Acts 1978, P.L.113, SEC.2. Amended by P.L.20-1984, SEC.120.*

#### **IC 20-10.1-7-2**

##### **Educational television**

Sec. 2. Educational Television. Each school corporation may conduct educational television instruction and may contract with a commercial television station for the use of the station's facilities and staff. Each governing body may budget and appropriate from the general fund for this and, if so, shall budget and appropriate in the same manner as provided by law for other school expenditures.

*(Formerly: Acts 1975, P.L.240, SEC.1.)*

#### **IC 20-10.1-7-3**

##### **Educational television; joint programs**

Sec. 3. Educational Television - Joint Programs. Any two (2) or more school corporations may jointly exercise the powers conferred in section 2 of this chapter.

These corporations may pay into a joint fund their proportionate parts of the cost of these services, computed annually, as previously agreed by the proper officers of the participating school corporations. The treasurer of this joint fund shall deposit it as provided under

IC 1971, 5-12, and shall make disbursements upon the allowance of claims by an executive committee acting for the participating school corporations. This treasurer shall give bond in an amount established by the executive committee.

*(Formerly: Acts 1975, P.L.240, SEC.1.)*

#### **IC 20-10.1-7-4**

##### **Educational television; credit**

Sec. 4. When approved by the state board of education, credit shall be given in the elementary and high school grades for educational television instruction in the same manner as other credit is given under the state rules.

*(Formerly: Acts 1975, P.L.240, SEC.1.) As amended by P.L.20-1984, SEC.121.*

#### **IC 20-10.1-7-4.5 Repealed**

*(Repealed by P.L.34-1998, SEC.4.)*

#### **IC 20-10.1-7-5**

##### **Military instruction**

Sec. 5. Military Instruction. Each governing body which institutes a system of military instruction in its high school, authorizing the school to receive arms, ammunition, and equipment from the United States government under regulations adopted by the department of defense, may pay from its general fund:

(1) freight charges on arms, ammunition, and equipment issued by the national government from the place of issue to this school;

(2) insurance charges on this government property;

(3) the premiums on bonds, which each governing body may execute, to cover the care, safekeeping and return of this government property; and

(4) the construction of arms racks and other facilities for the care and preservation of these arms and equipment, scaling walls, indoor targets and other equipment which the governing body considers necessary.

*(Formerly: Acts 1975, P.L.240, SEC.1.)*

#### **IC 20-10.1-7-6**

##### **Military instruction; staff**

Sec. 6. (a) Each governing body may employ suitable and competent persons as military instructors who are entitled to compensation as other instructors in the school when:

(1) a system of military instruction is established and no military instructor is detailed to this school by the national government; or

(2) a system of military instruction is established with detailed military instructors but additional instructors are necessary.

(b) To be suitable and competent for this employment, a person must hold a certificate of eligibility issued by the state board of education upon an examination conducted by a board of three (3)

military officers, of whom at least one (1) must be duly commissioned in the United States regular army. When qualified to perform the duties of each, the same person may serve as physical education director, military instructor, and teacher in the school.

(c) This military instruction may not be instituted or conducted unless it is under the supervision of an instructor detailed by the national government or a competent and suitable instructor under this section.

*(Formerly: Acts 1975, P.L.240, SEC.1.) As amended by P.L.20-1984, SEC.123.*

#### **IC 20-10.1-7-7**

##### **Military instruction; noncompulsory**

Sec. 7. Military Instruction - Non-compulsory. Sections 5 and 6 of this chapter do not authorize compulsory military instruction in the public schools and do not abridge the right of school authorities to make proper rules and regulations for the government of its student body.

*(Formerly: Acts 1975, P.L.240, SEC.1.)*

#### **IC 20-10.1-7-8**

##### **Voluntary religious observance; authorization**

Sec. 8. Voluntary Religious Observance - Authorized. A voluntary religious observance is permitted in each school corporation if the school corporation follows sections 9, 10, and 11 of this chapter and any additional procedures which it adopts to assure that the observance is voluntary.

*(Formerly: Acts 1975, P.L.240, SEC.1.)*

#### **IC 20-10.1-7-9**

##### **Voluntary religious observance; time, facilities, and supervision**

Sec. 9. Voluntary Religious Observance - Time, Facilities, and Supervision. (a) The time utilized for voluntary religious observance must be in addition to the regular school day, which, for these purposes, is six and one-half (6 1/2) hours exclusive of time for lunch.

(b) Any religious or philosophical group which does not accept the religious observance at the school is entitled to the use of school facilities during the time set for religious observances.

(c) Each school corporation shall provide properly supervised facilities for recreation and study, during the time of the religious observance. These supervised facilities must include, but need not be limited to, the library or a study room if the school has no library, the gymnasium or playgrounds, and the music and art facilities. Persons supervising these activities need not be licensed to teach them.

*(Formerly: Acts 1975, P.L.240, SEC.1.)*

#### **IC 20-10.1-7-10**

##### **Voluntary religious observance; prohibitions**

Sec. 10. Voluntary Religious Observance - Prohibitions.

(a) Each school corporation, superintendent, principal, teacher, clerical employee, custodial employee, and any other school employee or official shall not cause or encourage attendance at any voluntary religious observance; however, each school shall notify all students and their parents in writing of any voluntary religious observance and of any alternative provided under subsection 9(c) of this chapter. Any act of causing or encouraging this attendance by any of these persons is an act of insubordination, and appropriate action shall be taken.

(b) Each school corporation shall insure that no coercion is undertaken by students to cause attendance at these observances and that no opprobrium attaches among the student body or faculty for not participating in these observances. If school authorities can not avert this coercion or opprobrium, they shall discontinue the voluntary religious observances.

*(Formerly: Acts 1975, P.L.240, SEC.1.)*

#### **IC 20-10.1-7-11**

##### **Voluntary religious observance; silent period**

Sec. 11. Voluntary Religious Observance - Silent Period. In each public school classroom, at the opening of each school day the teacher in charge may or, if directed by his governing body, shall conduct a brief period of silent prayer or meditation with the participation of all students assembled. This silent prayer or meditation is not a religious service or exercise and may not be conducted as one, but is an opportunity for silent prayer or meditation on a religious theme for those so inclined or a moment of silent reflection on the anticipated activities of the day.

*(Formerly: Acts 1975, P.L.240, SEC.1.)*

#### **IC 20-10.1-7-12**

##### **Summer school**

Sec. 12. (a) The board may prescribe a program of summer school education for the public schools. The board shall adopt rules under IC 4-22-2 to provide for this program and to provide for the state distribution formula for any money appropriated by the general assembly for summer school education.

(b) Each school corporation may conduct a program of summer school education.

*As added by Acts 1978, P.L.113, SEC.3. Amended by P.L.20-1984, SEC.124; P.L.390-1987(ss), SEC.23; P.L.342-1989(ss), SEC.17; P.L.19-1992, SEC.32.*

#### **IC 20-10.1-7-12.1**

##### **Voluntary summer school enrichment program**

Sec. 12.1. (a) In addition to the summer school education described in section 12 of this chapter, each school corporation may conduct a voluntary summer school enrichment program in which educational programs are offered to students that are not offered during the regular school year.

(b) The educational program shall consist of one-half (1/2) day sessions in which students may:

- (1) receive remediation on a voluntary basis;
- (2) develop further in areas first covered during the school year;
- or
- (3) experience specific educational programs that are not regularly provided as part of the established curriculum during the school year.

(c) The board shall adopt rules, under IC 4-22-2, to implement this section, including rules governing the distribution of state funds for this purpose.

*As added by P.L.342-1989(ss), SEC.18.*

### **IC 20-10.1-7-12.5**

#### **Joint summer school program**

Sec. 12.5. (a) A school corporation may enter into an agreement with:

- (1) another school corporation;
- (2) an accredited nonpublic school; or
- (3) entities described in both subdivisions (1) and (2);

to offer a joint summer school program for high school students under this section.

(b) An agreement under this section must:

- (1) designate one (1) participating school corporation as the local education agency for the joint educational program; and
- (2) specify how the costs of the joint summer school program, including compensation for teachers, will be allocated among the parties to the agreement.

(c) The parties to an agreement under subsection (a) may provide educational programs:

- (1) that are not regularly provided as part of the established curriculum during the school year; and
- (2) for which a student who successfully completes a program may receive high school and college credit under an articulation agreement or dual credit provision under IC 20-10.1-4.4-9, IC 20-12-1-9, or IC 20-12-17.1.

(d) Except as provided in subsection (e), an instructor for an educational program described in subsection (c) must be:

- (1) licensed under IC 20-6.1; or
- (2) granted a substitute teacher's license by the professional standards board.

(e) If the school superintendent of the school corporation that is the local education agency determines that there:

- (1) is not a qualified licensed teacher available from the entities entering into an agreement under subsection (a); and
- (2) is a qualified postsecondary instructor available;

to instruct in an educational program described under subsection (c), the superintendent may request the professional standards board to issue a substitute teacher's license to the instructor of an educational program described in subsection (c).

(f) If the professional standards board finds that there is not a qualified licensed teacher available from the entities entering into an agreement under subsection (a) to instruct in an educational program described under subsection (c), the professional standards board may issue a substitute teacher's license to the instructor of an educational program described in subsection (c).

(g) An instructor for an educational program described under subsection (c) must be compensated at the same rate as that determined for a teacher under IC 20-6.1-4-8 and the local education agency's contract with certificated employees.

(h) The board shall adopt rules under IC 4-22-2 to govern the distribution of state funds for purposes of this section.

*As added by P.L.206-2003, SEC.3.*

### **IC 20-10.1-7-13**

#### **Summer school appropriation**

Sec. 13. If the money appropriated in any fiscal year by the general assembly for summer school education is insufficient to fund the state summer school distribution formula provided in the rules adopted by the state board of education, the state budget agency may transfer a sufficient amount of money from any excess in the state appropriation for tuition support for that fiscal year to fund the state summer school distribution formula. Before the state budget agency makes the transfer, it shall refer the matter to the state budget committee for its advisory recommendation.

*As added by Acts 1978, P.L.113, SEC.4. Amended by P.L.20-1984, SEC.125.*

### **IC 20-10.1-7-14**

#### **Motorcycle safety**

Sec. 14. (a) As used in this section:

"Certified chief instructor" means a licensed motorcycle operator who meets standards established by the department that are equivalent to or more stringent than those established by the Motorcycle Safety Foundation for instructors in motorcycle safety and education.

"Department" refers to the department of education.

"Director" refers to the superintendent of the department of public instruction.

"Fund" refers to the motorcycle operator safety education fund created under subsection (f).

"Program" means the motorcycle operator safety education program.

"Program coordinator" refers to the coordinator of the motorcycle operator safety education program.

"Training course" means an approved motorcycle rider education course that meets standards established by the department that are equivalent to or more stringent than those established by the Motorcycle Safety Foundation for courses of instruction in motorcycle safety and education.

"Training specialist" means the training specialist of the motorcycle operator safety education program.

(b) The department shall develop and administer a program that, as a minimum, must:

- (1) provide motorcycle rider education;
- (2) provide instructor training;
- (3) increase public awareness of motorcycle safety; and
- (4) evaluate and recommend improvements to the motorcycle rider licensing system.

(c) The director shall appoint:

- (1) a program coordinator who shall administer the program and conduct an annual evaluation; and
- (2) a training specialist who shall:
  - (A) establish training courses throughout the state;
  - (B) set program and funding guidelines; and
  - (C) supervise instructors and other personnel as necessary.

The training specialist must be a certified chief instructor and hold a valid license to operate a motorcycle.

(d) The department may enter into contracts with regional training centers or any other sites approved by the director for the conduct of motorcycle operator safety education courses. If necessary, course sites may charge a reasonable tuition fee for the courses.

(e) The director shall appoint a five (5) member advisory committee consisting of at least three (3) active motorcyclists to serve in an advisory capacity to the program.

(f) The motorcycle operator safety education fund is established. The fund consists of money received from motorcycle registrations as provided under IC 9-29. The money in the fund is appropriated to the department for the administration of the program and expenses related to the program, including:

- (1) reimbursement for course sites;
- (2) instructor training;
- (3) purchase of equipment and course materials; and
- (4) technical assistance.

*As added by P.L.87-1986, SEC.9. Amended by P.L.2-1991, SEC.82.*

#### **IC 20-10.1-7-15**

##### **Geography; teaching guides; textbooks; in-service training**

Sec. 15. Beginning with the 1990-91 school year, the board shall:

- (1) provide school corporations with guides for teaching geography in the public schools;
- (2) provide school corporations with a list of textbooks that have been adopted under IC 20-10.1-9 and are available for geography instruction; and
- (3) make available in-service training opportunities to teachers who teach geography.

*As added by P.L.208-1989, SEC.1.*

#### **IC 20-10.1-7-16**

##### **Community or volunteer service for academic credit; application;**



**process; guidelines; rules**

Sec. 16. (a) Each school corporation may encourage the development of a community service ethic among high school students in grade 11 or 12 in the school corporation by offering each grade 11 or grade 12 student:

- (1) as part of the corporation's elective curriculum;
- (2) in compliance with rules adopted by the board under subsection (i); and
- (3) upon completion by the student of approved community service or other volunteer service;

the opportunity for the student to earn academic credit toward the student's minimum graduation requirements.

(b) For each student who wishes to earn academic credit for community service or volunteer service under this section, the student, a teacher of the student, or a community or volunteer service organization shall submit an application that includes the following information to the principal or the principal's designee of the high school in which the student is enrolled:

- (1) The name of the community service organization or volunteer service organization the student intends to assist.
- (2) The name, address, and telephone number of the director or the supervisor of the community service organization or volunteer service organization and, if different from the director or supervisor, the name, address, and telephone number of the individual assigned by the community or volunteer service organization to supervise the student at the activity site.
- (3) The nature of the community service or volunteer service performed by the student with a certification that the service performed by the student is voluntary.
- (4) The total number of hours the student intends to expend in serving the community service organization or volunteer service organization during the school year.
- (5) A written statement by the director or the supervisor of the community service organization or volunteer service organization certifying that the information included in the application is an accurate reflection of:

- (A) the student's expectations with regard to the number of hours of service contemplated to be performed; and
- (B) the community service organization's or the volunteer service organization's need to acquire the student's service.

(6) A description of:

- (A) the educational or career exploration benefits the student and the school should expect to gain from the student's community or volunteer service participation; and
- (B) the service and benefit the community or volunteer service organization expects to gain from the student's participation.

(7) A description of how the community or volunteer service activity relates to a course in which the student is enrolled or intends to enroll.

(8) The manner and frequency in which the student and the community or volunteer service activity will be evaluated.

(9) The name of the certificated school employee who will be responsible for monitoring and evaluating the student's activity and performance, including assigning to the student a grade for the participation under this section.

(10) Any other information required by the principal.

(c) For each particular school year in which a student wishes to earn academic credit under this chapter, the application to participate under this chapter must be submitted before November 1 of the school year. The principal may waive this application deadline if the principal determines that:

(1) the applicant was unable to meet the application deadline due to extraordinary circumstances; and

(2) the student will reasonably be able to accrue before graduation at least the minimum number of hours of service required to acquire at least one (1) academic credit toward the student's graduation requirements.

(d) Upon receipt of the application, the principal of the school or the principal's designee shall determine whether the student is eligible to receive academic credit under this section based on the guidelines established by the department under subsection (h) and rules adopted by the board under subsection (i).

(e) The principal or the principal's designee shall notify the student and the director or the sponsor of the community service organization or the volunteer service organization of the determination made under subsection (d). If the student's application is approved, the director or sponsor of the community service organization or the volunteer service organization shall periodically report to the principal or the principal's designee on the student's fulfillment of the expectations included in the application.

(f) Upon the completion of the school year, the principal or the principal's designee shall request the director or the supervisor of the community service organization or the volunteer service organization to submit a report on the student's service during the school year that certifies the total number of hours of service contributed by the student.

(g) If the student's total number of hours of service is at least equal to the minimum number of hours required to earn academic credit for community service or volunteer service as set forth in rules adopted by the board, the student shall receive the amount of academic credit available under the board's rules for the service toward the student's graduation requirements.

(h) The department shall develop guidelines necessary to implement this section, including guidelines to assist principals or designees in determining whether a particular community service organization or volunteer service organization qualifies as an entity in which a student's volunteer service translates into academic credit under this section.

(i) The board shall adopt rules under IC 4-22-2 necessary to

implement this section, including rules stipulating the following:

- (1) The types of community service organizations or volunteer service organizations that qualify as entities described in subsection (h).
- (2) The types of community services or volunteer services performed by a student that qualify for approval under this section.
- (3) That the student must perform at least forty-eight (48) hours of service to earn one (1) academic credit.
- (4) That not more than two (2) academic credits toward graduation are available to a student under this chapter.
- (5) That the exploitation or endangerment of students participating under this chapter is prohibited.
- (6) That each school corporation and community or volunteer service organization participating under this section shall monitor student activity under this section and compile periodic reports from students and other individuals to ensure:
  - (A) student health and safety, including assurances that students are not expected to perform duties which are prohibited by law or rule for which students are inadequately prepared or supervised;
  - (B) an educational benefit to the student is being derived by the student; and
  - (C) compliance with appropriate statutes and rules.
- (7) The minimum, acceptable level of certificated school employee staffing required to adequately implement, monitor, and evaluate the program under this section.
- (8) The method for demonstrating and enforcing the assurances described under subdivision (6).

*As added by P.L.194-1993, SEC.1. Amended by P.L.1-1994, SEC.98.*

#### **IC 20-10.1-7-17**

##### **American Sign Language; foreign language credit; teacher certification; curriculum**

Sec. 17. (a) A school corporation may offer classes in American Sign Language as a first or second language for hearing, deaf, and hard of hearing students.

(b) If:

- (1) classes in American Sign Language are offered at the secondary level by a school corporation; and
- (2) a student satisfactorily completes a class in American Sign Language as a second language;

the student is entitled to receive foreign language credit for the class.

(c) A class in American Sign Language offered under this section must be taught by a teacher licensed in Indiana and:

- (1) certified by the American Sign Language Teachers Association; or
- (2) holding a degree in American Sign Language.

(d) The board shall establish a curriculum in American Sign Language as a first or second language.

*As added by P.L.7-1995, SEC.2.*